

Now, ladies and gentlemen of the Convention, it seems to me this makes it abundantly clear that there is just not enough workload, not enough caseload in some counties to justify having one district judge. The idea is certainly to bring justice to the people, but you are going to have a proliferation of district judges if you follow the Malkus amendment.

I strenuously urge its defeat.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

Delegate E. Churchill Murray?

DELEGATE E. C. MURRAY: Mr. President, ladies and gentlemen, I think that Delegate Case's figures overlook and do not speak to the phase of this addressed by Delegate Sybert.

There is an element here beyond the question of the number of cases involved.

Looking back over the years, I am conscious that the establishment of the lower courts in a county have a very decided effect upon the county, upon the law-abiding and non-law-abiding citizens of a county.

I rise to support the motion. I think that in spite of the numbers involved this is not the answer. I think that such a judge sitting there is desirable for those counties, and I also think that the contact is even more desirable where there has been a lessening of direct legislative association with the counties.

I hope that you will be able to see this because my feeling about it is derived from observation over a great many years.

THE CHAIRMAN: Does any other delegate desire to speak in opposition? Delegate Bothe?

DELEGATE BOTHE: I have a question of Delegate Malkus.

THE CHAIRMAN: First, does anyone desire to speak in opposition?

Delegate Smith, Marvin Smith?

DELEGATE M. SMITH: Mr. Chairman, it is with reluctance, coming from one of the smallest counties of the State, and being the neighbor of Delegate Malkus, that I rise in opposition to this amendment.

I just do not think it is necessary.

If Worcester County needs a full-time district judge, a letter I have in my

possession from Judge Prettyman would seem to indicate that they can use one and a fraction in Worcester County, certainly the General Assembly in its wisdom will see fit to take care of that.

I addressed a letter to each of the ten, I guess, circuit judges on the Eastern Shore to get their reaction to this matter.

In my own circuit, the five northern counties of the Shore, the circuit judges in Kent, Queen Anne, and Caroline, were of the opinion that there was no need for a full-time district judge in those counties.

I addressed a letter to each individual member of the Caroline County bar. Those who replied, who were certainly the leaders of the bar, indicated that in their opinion there was not a need for a full-time district judge in Caroline County.

Now, I know all that Delegate Sybert has said with reference to judges, being acquainted with the mores of the people, et cetera, but I would have to say to you, sir, in my practice of the law in a county that was one of five counties in a circuit, that certainly Judges Kipner and Rollins from Cecil County, when they sat in our county, Judge Raisin from Kent County, and Judges Kadin and Hardin from Queen Anne's County seemed well acquainted with the mores of our people.

THE CHAIRMAN: Does Delegate Malkus yield to a question from Delegate Bothe?

DELEGATE MALKUS: Reluctantly.

THE CHAIRMAN: Delegate Bothe.

DELEGATE BOTHE: The question is very simple, Delegate Malkus. I wonder if you had arranged to calculate the additional cost to have a district court judge in those counties.

THE CHAIRMAN: Delegate Malkus.

DELEGATE MALKUS: Mr. President, when I get the basic overall cost of the four-tier system it will not be very difficult to answer Mrs. Bothe's question. When the Chairman gives me those reports in writing, it will not be difficult, Mr. President, to say what the additional cost will be for the four or five counties that we are talking about, and I will answer Mrs. Bothe's question.

THE CHAIRMAN: Does any other delegate desire to speak in opposition to the amendment?

Delegate Stern, do you desire to speak in favor of the amendment?